

REMARKS

Status of Claims

Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-10, 12, 13, 15, 16, 18, 19, 24, 25, 27-29, 31-33, 35-38 and 40-44 are currently pending;
- No claims are canceled herein;
- No claims are withdrawn herein;
- Claims 18, 19, 25, 27-29, 31, 33, 35, 40 and 43 are amended herein;
- No new claims are added herein; and
- Claims 1, 18, 29, 33, 36, 38 and 40 are independent.

Support for the amendments to the claims is found in the specification at least at paragraphs 0032, 0038, 0039, 0043-0045 and 0048-0049 of Applicant's published application, US2005/0097606.

Cited Documents

The following documents have been applied to reject one or more claims of the Application:

- **Kikinis:** Kikinis U.S. Patent No. 7,213,256
- **Dodson:** Dodson et al., U.S. Patent No. 6,184,877
- **Ellis:** Ellis et al., U.S. Patent Application Publication No. 2008/0115169

- **O'Connor:** O'Connor et al., U.S. Patent Application Publication No. 2003/0165324

Claim Rejections under 35 USC §103(a)

Claims 1-5, 8-10, 12-13, 15-16, 38, 40-42, and 44 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Kikinis in view of Dodson. Claims 6-7, 18-19, 24, 27-29, 31, 32, 33, 35-37 and 43 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Kikinis in view of Dodson in further view of Ellis. Claim 25 stands rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Kikinis in view of Dodson further in view of Ellis and further in view of O'Connor. Applicant respectfully traverses the rejection. Applicant respectfully traverses these rejections, and requests reconsideration and withdrawal of the rejections for the following reasons.

Independent Claim 1

Applicant submits that the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest at least the following elements, as recited in independent claim 1 (with emphasis added):

... displaying a currently displayed television program on a display;

activating a navigation system during display of the currently displayed television program, wherein the navigation system determines and displays a set of viewer-selectable attributes for the currently displayed television program overlaid on the currently displayed television program, the set of attributes comprising attributes which are each descriptive of a different aspect of the currently displayed television program, wherein each attribute of the set of viewer-selectable attributes

corresponds to a combinable navigation context to generate a navigable sequence of television programs;

selecting at least two attributes from the set of viewer-selectable attributes using one or more of three navigation keys comprising a previous key, a next key and a select key;

logically combining the navigation contexts which correspond to the selected at least two attributes using Boolean operators;

querying a database of television programming metadata for television program identifiers associated with the combined navigation contexts;

generating a sequence of television programs associated with the identifiers for navigation wherein the sequence comprises a corresponding navigational axis, the sequence of television programs including the current television program and at least one other television program that shares one or more of the selected attributes with the currently displayed television program; and

navigating the sequence of television programs, wherein the navigating comprises using the next key or previous key to change from displaying the currently displayed television program in the sequence to displaying another television program in the sequence, wherein the next key or previous key is used to cycle through the sequence of television programs without having to access a menu listing the television programs in the sequence for navigating to display of a next television program in the sequence.

Kikinis describes an EPG display with an expanded search function in which the results of a search are displayed in an EPG display (e.g., col. 4, lines 4-17 and FIG. 3c of Kikinis). However, the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest ***navigating the sequence of television programs, wherein the navigating comprises using the next key or previous key to change from displaying the currently displayed television program in the sequence to displaying another television program in the sequence, wherein the next key or previous key is used to cycle through the sequence of television programs***

without having to access a menu listing the television programs in the sequence for navigating to display of a next television program in the sequence, as recited in Applicant's claim 1. For example, paragraphs 0044-0045 of Applicant's published application, US2005/0097606 describe the following:

[0044] An exemplary application or multi-axis TV navigation engine (e.g., 904 below) changes the functioning of navigation controls (e.g., 300) substituting a new axis for the conventional channel axis 202 usually navigated by the navigation controls (e.g., 300). When a user presses one of the channel change keys 300, for instance, various events can occur depending on the implementation. In one implementation, a television navigation system is concerned mainly (or only) with the program guide information. In this case, navigating a "director" axis 704 results in the user browsing only the program guide information for each program ID associated with the selected director in the director axis 704 (Applicant's pub. app., par. 0044 – emphasis added).

[0045] In another implementation, an exemplary television navigation system displays actual programs for each program ID in an axis. Thus, pressing a channel change key (e.g., 302) changes between programs directed by the person named in the attribute value. If the attribute upon which an axis is based is "episode" then actuating a channel change key 302 would change between episodes of a subject program and display each different episode with each press of a channel change key 302 (Applicant's pub. app., par. 0045 – emphasis added).

Accordingly, when the alternative navigational axis has been established based upon the attributes selected by the viewer, the viewer is able to navigate the sequence of programs in the new navigational axis using the next key or previous key, without having to access a separate menu listing the programs in the sequence. Thus, a viewer is able to cycle through and view the content of each of the programs listed in the sequence by pressing just one key, e.g., the next key or previous key. For example, if the next key and the previous key usually change channels according to the numerical order of channels (e.g., up or down), the keys will now function along the new

navigational axis, such as moving to a next program or previous program in the sequence of programs matching the selected attribute(s).

A page 4 of the Office Action, the Examiner cites col. 5, lines 53-54, and col. 3, lines 29-30 of Kikinis as allegedly teaching the above-emphasized clause of Applicant's claim 1. However, Applicant respectfully notes that the cited portions of Kikinis are highlighted in the following paragraphs:

The EPG display user interface 460 comprises, among other displays, the previously described EPG displays 200, 310, 320, and 330 that provide for user input to the expanded search function 305 through a viewer action on the EPG displays as previously described or through a viewer action on an input control device. The program stored in program logic memory 440 performs the expanded search functions 305 in conjunction with the user input via the EPG display user interface 460 to find and display the results of the search, and in some embodiments to further control the selection of programs from the video input 430 for display on the video output 450. It should be noted that although the EPG display user interface 460 is typically implemented in an EPG system 400 that is part of a television set, video recording device, or television-enabled appliance, the EPG display user interface 460 may also be implemented separately on a browser as one or more web pages that display information from the program data database 420 and made available over the Internet without departing from the principles of the invention (Kikinis, col. 5, lines 43-62 – emphasis added).

FIGS. 3a 3c illustrate a EPG display with an expanded search function and search function result in accordance with one embodiment of the present invention. FIG. 3a illustrates a prior art EPG display 300 that contains an example of a show listing from a selection by the viewer with a few shows appearing, such as Cheers, Frasier, Friends, M.A.S.H, and Touched by an Angel, similar to that illustrated in FIG. 1a. FIG. 3a further illustrates the EPG display 300 in which the viewer has marked one of the shows, in this case Cheers 301 broadcast on ABC at 8:00 pm, in preparation for actuating an expanded search function 305, either through a viewer action on the display as illustrated (e.g. clicking the desired show with an input device and displaying the clicked show as highlighted in contrast to other shows) or through a viewer action on a remote control device. In one embodiment a command button or other graphical visual icon is provided for

affirmatively entering a command on the EPG display to initiate the expanded search function 305 based on the marked selection of the Cheers 301 show (Kikinis, col. 3, lines 16-35 – emphasis added).

From a review of the foregoing cited portions of Kikinis, it is apparent that the cited portions of Kikinis do not teach or suggest the above-emphasized clause of Applicant's claim 1. For example, col. 3, lines 13-14 of Kikinis merely discusses highlighting the title "Cheers" in the EPG display in preparation for actuating an expanded search function. Additionally, col. 5, lines 53-54 of Kikinis merely describes that the program that performs the expanded search functions can also control the selection of programs from the video input 430 for display on the video output 450. Thus, neither of these portions of Kikinis teach or suggest Applicant's above-emphasized clause of claim 1, including ***wherein the next key or previous key is used to cycle through the sequence of television programs without having to access a menu listing the television programs in the sequence for navigating to display of a next television program in the sequence.***

Furthermore, col. 4, lines 13-17, of Kikinis, which discusses FIG. 3c (i.e., the search results) merely describes that "the viewer can then select from the results which of the shows to watch, or may repeat the expanded search function 305 using the selected result as the specific show that forms the basis of the search reference" (col. 4, lines 13-17). Thus, this portion of Kikinis also clearly requires that the viewer first access the EPG menu of FIG. 3c and select a listed program to view the content of any of the programs listed in the search results. Further, the viewer must return to the EPG menu of FIG. 3c to access a next program in the listed search results. On the other hand, Applicant's claim 1 recites ***navigating the sequence of television programs,***

wherein the navigating comprises using the next key or previous key to change from displaying the content of the currently displayed television program in the sequence to displaying the content of another television program in the sequence, wherein the next key or previous key is used to cycle through the content of the sequence of television programs without having to access a menu listing the television programs in the sequence for navigating to display of the content of a next television program in the sequence. Applicant respectfully

submits that the elements of this clause are neither taught, nor suggested by Kikinis.

Dodson, Ellis and O'Connor fail to make up for the shortcomings in Kikinis pointed out above. For example, Dodson merely describes that "an overlay 400 includes a list of hits based on the search terms" (Dodson, col. 3, lines 42-43). Dodson further describes that a "user may view the list of hits and decide to cancel the overlay 400 and return to the program, or the user may select one of the hits to view the text associated with the hit" (Dodson, col. 3, lines 46-49). Thus, there is no teaching or suggestion here or elsewhere in Dodson of the elements of the above-emphasized clause of Applicant's claim 1. Ellis and O'Connor are similarly deficient in teaching the above-emphasized clause of Applicant's claim 1.

Applicant has shown above by direct quotation that the cited portions of Kikinis and Dodson are very different on their faces from the above-emphasized clause of Applicant's claim 1. Accordingly, insofar as that the combination of Kikinis and Dodson does not teach or suggest at least the above-emphasized clause of Applicant's claim 1, and insofar as that the Examiner has provided no objectively verifiable evidence as to how Kikinis and Dodson could be modified and/or combined to teach at least the above-

emphasized clause of claim 1, Applicant respectfully points out that the documents cited by the Examiner do not establish a *prima facie* case of unpatentability of claim 1.

In view of the foregoing, Applicant respectfully submits that claim 1 is allowable over Kikinis, Dodson, Ellis, O'Connor and/or the other art of record, and is in condition for allowance. Accordingly, for at least the foregoing reasons, Applicant respectfully asks the Examiner to reconsider and withdraw the rejection of claim 1 and issue a Notice of Allowance of same.

Independent Claim 18

Applicant submits that the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest at least the following elements, as recited in independent claim 18 (with emphasis added):

... displaying content of a currently displayed first television program on a display;

activating a navigation system during display of the content of the currently displayed first television program, wherein the navigation system automatically determines and displays a first set of viewer-selectable attributes that are descriptive of different aspects of the currently displayed first television program, wherein the navigation system overlays the first set of viewer-selectable attributes on the display of the content of the currently displayed first television program;

selecting one or more first attribute values from the displayed first set of viewer-selectable attributes to define a first query for television programming metadata, wherein the navigation system uses the selected one or more first attribute values corresponding to the currently displayed first television program in the first query to produce a first list of television program identifiers identified by the navigation system as corresponding to the selected one or more first attribute values;

arranging the television programming metadata into a first data structure wherein first attribute values are associated with program identifiers;

providing a user interface, wherein a navigation control is used to launch the query by selecting the one or more attribute values from the displayed first set of viewer-selectable attributes corresponding to the currently displayed first television program for producing the first list of television program identifiers;

using the navigation control to cycle through at least a portion of the first list to access content of a second television program for displaying the content of the second television program in place of the currently-displayed first television program, the second television program accessed corresponding to the first list, wherein the navigation control includes a single key used to cycle through displaying the content of the of television programs in the first list without having to access a menu listing the television programs;

displaying the content of the second television program in response to the navigation control accessing the different television program; and

during display of the content of the second television program, activating the navigation system, wherein the navigation system automatically determines and displays a second set of viewer-selectable attributes that are descriptive of the second television program, wherein the navigation system overlays the second set of viewer-selectable attributes on the display of the content of the different television program, wherein one or more second attributes are selected to create a second list of television program identifiers corresponding to the selected one or more attributes.

As discussed above with respect to claim 1, the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest ***navigating the sequence of television programs, wherein the navigating comprises using the next key or previous key to change from displaying the content of the currently displayed television program in the sequence to displaying the content of another television program in the sequence, wherein the next key or previous key is used to cycle through the content of the sequence of television programs without having to access a menu listing the television programs in the sequence for navigating to***

display of the content of a next television program in the sequence, as recited in Applicant's amended claim 1. Consequently, the combination of Kikinis with Dodson, Ellis and/or O'Connor also does not teach or suggest ***using the navigation control to cycle through at least a portion of the first list to access content of a second television program for displaying the content of the second television program in place of the currently-displayed first television program, the second television program accessed corresponding to the first list, wherein the navigation control includes a single key used to cycle through displaying the content of the of television programs in the first list without having to access a menu listing the television programs***, as recited in Applicant's amended claim 18. Instead, as discussed above, Kikinis merely describes that the viewer can select from the results which of the shows to watch, or may repeat the expanded search function using the selected result as the specific show that forms the basis of the search reference (col. 4, lines 13-17). Additionally, col. 3, lines 13-14 of Kikinis merely discusses highlighting the title "Cheers" in the EPG display in preparation for actuating an expanded search function. Furthermore, col. 5, lines 53-54 of Kikinis merely describes that the program that performs the expanded search functions can also control the selection of programs from the video input 430 for display on the video output 450. Thus, none of these portions of Kikinis teach or suggest Applicant's above-emphasized clause of claim 18. Dodson, Ellis and O'Connor also fail to teach or suggest this aspect.

In view of the foregoing, Applicant respectfully submits that claim 18 is allowable over Kikinis, Dodson, Ellis, O'Connor and/or the other art of record, and is in

condition for allowance. Applicant respectfully asks the Examiner to withdraw the rejection of claim 18 and issue a Notice of Allowance of the same.

Independent Claim 29

Applicant submits that the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest at least the following elements, as recited in independent claim 29 (with emphasis added):

... a server for storing and accessing digital television programming content;

a navigation control for navigating any one of multiple navigational axes to change from displaying a currently displayed television program to displaying a television program provided by the server, and for selecting links to launch predefined queries, wherein each predefined query queries a database based on television program attributes selected by a viewer and returns a navigation axis comprising a list of program identifiers of television programs corresponding to a value for the television program attributes selected;

a means for storing television program metadata in a database;

a means for arranging the program metadata in a relational schema;

a means for defining and storing the pre-defined queries;

a means for embedding links to the pre-defined queries in logically associated metadata for a currently displayed television program; and

a means for logically combining multiple predefined queries using Boolean operators,

wherein the navigation system is configured to be activated during the display of the currently displayed television program, wherein the navigation system automatically determines and displays a set of viewer-selectable attributes that are descriptive of different aspects of the currently displayed television program, wherein the navigation system overlays the set of viewer-selectable attributes on the currently displayed television program;

wherein the navigation system uses one or more selected attribute values selected from the set of viewer-selectable

attributes corresponding to the currently displayed television program to define one of the predefined queries to produce the list of television program identifiers;

wherein the navigation controls provide for navigation from display of the currently displayed television program to display of a plurality of different television programs corresponding to the television program identifiers in the list by activation of a single key for cycling through display of the television programs identified by the list.

As discussed above, the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest the above-emphasized clause of Applicant's claim 1. Accordingly, under a similar rationale, the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest ***wherein the navigation controls provide for navigation from display of the currently displayed television program to display of a plurality of different television programs corresponding to the television program identifiers in the list by activation of a single key for cycling through display of the television programs identified by the list***, as recited in Applicant's amended claim 29. Instead, as discussed above, Kikinis merely describes that the viewer can select from the results which of the shows to watch, or may repeat the expanded search function using the selected result as the specific show that forms the basis of the search reference (col. 4, lines 13-17). Additionally, col. 3, lines 13-14 of Kikinis merely discusses highlighting the title "Cheers" in the EPG display in preparation for actuating an expanded search function. Furthermore, col. 5, lines 53-54 of Kikinis merely describes that the program that performs the expanded search functions can also control the selection of programs from the video input 430 for display on the video output 450. Thus, none of these portions of Kikinis teach or suggest Applicant's above-

emphasized clause of claim 29. Dodson, Ellis and O'Connor also fail to teach or suggest the elements of this clause.

In view of the foregoing, Applicant respectfully submits that claim 29 is allowable over Kikinis, Dodson, Ellis, O'Connor and/or the other art of record, and is in condition for allowance. Applicant respectfully asks the Examiner to withdraw the rejection of claim 29 and issue a Notice of Allowance of the same.

Independent Claim 33

Applicant submits that the combination of Kikinis with Dodson, Ellis and O'Connor does not teach or suggest at least the following elements, as recited in independent claim 33 (with emphasis added):

... a database for television program metadata;

a query engine to find program identifiers in the database corresponding to predefined queries, wherein a predefined query returns a navigational axis from the database, wherein a navigational axis is a list of program identifiers of television programs;

a user interface to associate launch of one or more of the predefined queries with selection of attributes descriptive of a currently displayed television program, and to receive the attributes which are selected by a viewer, wherein activation of the user interface during display of a currently displayed television program results in the user interface presenting a set of viewer-selectable attributes that are descriptive of different aspects of the currently displayed television program, wherein the user interface overlays the set of viewer-selectable attributes on the currently displayed television program for a viewer to select one or more attribute values from the displayed set of viewer-selectable attributes to define a query;

an axis cache to store the list of program identifiers returned by one or more predefined queries; and

a navigation controller associated with the user interface to select the attribute values from the displayed set of attribute

values corresponding to the currently displayed television program for launching the one or more predefined queries, to navigate the navigational axis that is the list of program identifiers of television programs determined to correspond to the one or more predefined queries, and to display television programs corresponding to the program identifiers on the list, wherein the navigation controller comprises a single key activated to display multiple programs successively with corresponding successive single activations of the single key.

For the reasons discussed above with respect to claim 1, the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest ***a navigation controller associated with the user interface to select the attribute values from the displayed set of attribute values corresponding to the currently displayed television program for launching the one or more predefined queries, to navigate the navigational axis that is the list of program identifiers of television programs determined to correspond to the one or more predefined queries, and to display television programs corresponding to the program identifiers on the list, wherein the navigation controller comprises a single key activated to display multiple programs successively with corresponding successive single activations of the single key***, as recited in Applicant's amended claim 33. Instead, as discussed above, Kikinis merely describes that the viewer can select from the results which of the shows to watch, or may repeat the expanded search function using the selected result as the specific show that forms the basis of the search reference (col. 4, lines 13-17). Additionally, col. 3, lines 13-14 of Kikinis merely discusses highlighting the title "Cheers" in the EPG display in preparation for actuating an expanded search function.

Furthermore, col. 5, lines 53-54 of Kikinis merely describes that the program that performs the expanded search functions can also control the selection of programs from

the video input 430 for display on the video output 450. Thus, none of these portions of Kikinis teach or suggest Applicant's above-emphasized clause of claim 33. Dodson, Ellis and O'Connor also fail to teach or suggest the elements of this clause.

In view of the foregoing, Applicant respectfully submits that claim 33 is allowable over Kikinis, Ellis, O'Connor and/or the other art of record, and is in condition for allowance. Applicant respectfully asks the Examiner to withdraw the rejection of claim 33 and issue a Notice of Allowance of the same.

Independent Claims 36 and 38

Applicant submits that the combination of Kikinis with Dodson, Ellis and O'Connor does not teach or suggest at least the following elements, as recited in independent claim 36 (with emphasis added):

...instructions for arranging a database of television programming metadata into indices facilitating predefined queries;

wherein one or more links contextually associated with one or more attributes of a currently displayed television program call the predefined queries, wherein the one or more attributes are selected by a viewer from among a set of attributes and logically combined using Boolean operators, and wherein each attribute of the set corresponds to a combinable navigation context which can be used for generating a navigable sequence of television programs along a navigational axis, wherein the set of attributes corresponding to the currently displayed television program are automatically determined and displayed as viewer-selectable attributes when a user interface is activated during display of the currently displayed television program;

wherein the predefined queries return a list of identifiers from the database corresponding with one or more of the attributes,

wherein each list forms a navigational axis,

wherein each identifier in a list corresponds to either an on-demand or currently broadcast television program,

wherein the television programs on the list are displayed as accessed by a television channel navigation means for navigating one or more navigational axes, wherein the television channel navigation means comprises a next key, a previous key and a select key, wherein the next key or previous key is used to cycle through the television programs corresponding to the list without having to access a menu listing the television programs in the list for navigating to a next television program in the sequence.

For the reasons discussed above with respect to claim 1, the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest ***wherein the television programs on the list are displayed as accessed by a television channel navigation means for navigating one or more navigational axes, wherein the television channel navigation means comprises a next key, a previous key and a select key, wherein the next key or previous key is used to cycle through the television programs corresponding to the list without having to access a menu listing the television programs in the list for navigating to a next television program in the sequence***, as recited in Applicant's amended claim 36. Instead, as discussed above, Kikinis merely describes that the viewer can select from the results which of the shows to watch, or may repeat the expanded search function using the selected result as the specific show that forms the basis of the search reference (col. 4, lines 13-17). Additionally, col. 3, lines 13-14 of Kikinis merely discusses highlighting the title "Cheers" in the EPG display in preparation for actuating an expanded search function. Furthermore, col. 5, lines 53-54 of Kikinis merely describes that the program that performs the expanded search functions can also control the selection of programs from the video input 430 for display on the video output 450. Thus, none of these

portions of Kikinis teach or suggest Applicant's above-emphasized clause of claim 36. Dodson, Ellis and O'Connor also fail to teach or suggest the elements of this clause.

In view of the foregoing, Applicant respectfully submits that claim 36 is allowable over Kikinis, Dodson, Ellis, O'Connor and/or the other art of record, and is in condition for allowance. Applicant respectfully asks the Examiner to withdraw the rejection of claim 36 and issue a Notice of Allowance of the same.

Independent claim 38 is directed to similar subject matter and is allowable under a similar rationale. Applicant respectfully asks the Examiner to withdraw the rejection of claim 38 and issue a Notice of Allowance of the same.

Independent Claim 40

Applicant submits that the combination of Kikinis with Dodson, Ellis and O'Connor does not teach or suggest at least the following elements, as recited in independent claim 40 (with emphasis added):

...displaying a currently displayed television program on a television;

activating a navigation system during display of the currently displayed television program, wherein the navigation system determines and displays a set of viewer-selectable attributes corresponding to the currently displayed television program, wherein the navigation system overlays the set of viewer-selectable attributes on the currently displayed television program, the set of attributes comprising attributes which are each descriptive of a different aspect of the currently displayed television program;

selecting an attribute from the set of view selectable attributes using one or more of three navigation keys comprising a previous key, a next key and a select key;

querying a database of television program metadata corresponding to television programs based on the selected attribute;

receiving results from the querying wherein the results comprise television program identifiers and wherein each of the television program identifiers identifies a television program having the selected attribute in common with the currently displayed television program;

generating a navigational axis for navigating the television programs that correspond to the television program identifiers wherein the navigational axis comprises an axis independent of a future time;

receiving an instruction to change a channel on the television by activation of a single channel change key;

responsive to receipt of the instruction, navigating the navigational axis from a first channel displaying the currently displayed television program to a second channel displaying a different television program located on the navigational axis; and

displaying the different television program on the television, wherein the different television program displayed is on a second channel that is not numerically adjacent to the first channel.

For the reasons discussed above with respect to claim 1, the combination of Kikinis with Dodson, Ellis and/or O'Connor does not teach or suggest ***receiving an instruction to change a channel on the television by activation of a single channel change key; responsive to receipt of the instruction, navigating the navigational axis from a first channel displaying the currently displayed television program to a second channel displaying a different television program located on the navigational axis; and displaying the different television program on the television, wherein the different television program displayed is on a second channel that is not numerically adjacent to the first channel***, as also recited in Applicant's amended claim 40. Instead, as discussed above, Kikinis merely describes that the viewer can select from the results which of the shows to watch, or may repeat the expanded search function using the selected result as the specific show that forms

the basis of the search reference (col. 4, lines 13-17). Additionally, col. 3, lines 13-14 of Kikinis merely discusses highlighting the title “Cheers” in the EPG display in preparation for actuating an expanded search function. Furthermore, col. 5, lines 53-54 of Kikinis merely describes that the program that performs the expanded search functions can also control the selection of programs from the video input 430 for display on the video output 450. Thus, none of these portions of Kikinis teach or suggest Applicant’s above-emphasized clause of claim 18. Dodson, Ellis and O’Connor also fail to teach or suggest the elements of this clause.

In view of the foregoing, Applicant respectfully submits that claim 40 is allowable over Kikinis, Dodson, Ellis, O’Connor and/or the other art of record, and is in condition for allowance. Applicant respectfully asks the Examiner to withdraw the rejection of claim 40 and issue a Notice of Allowance of the same.

Dependent Claims

In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that would prevent allowance of this application, Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.

Respectfully Submitted,

Lee & Hayes, PLLC
Representative for Applicant

_____/Colin D. Barnitz 35061/

Dated: _____ November 19, 2009

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